GOVERNMENT OF ANDRHRA PRADESH
ABSTRACT

Public Services – Commercial Taxes Department – Allegations of Disproportionate assets to the known sources of income - Case filed against Sri Mabagapu Gandhi Krishna, Junior Assistant, O/o Commercial Tax Officer, Rajam Circle, Vizianagaram in Cr.No.05/RCA-ACB/VZM/2006 - Convicted - Dismissal from service – Orders – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Ms.No.173 **Dated:19-04-2018**
Read the following:-

1. From Director General, Anti-Corruption Bureau, AP, Letter Rc.No.56/RCA-VVZ/2006, dt.27-04-2006.
2. From Director General, Anti-Corruption Bureau, AP,Letter Rc.No.56 /RCA-VVZ/2006, dt.08-08-2007.(Final Report)
3. G.O.Ms.No.887, Rev(Vig.II) Dept, dated.17-07-2008.
4. Judgment dated 05-03-2018 in CC No.01/2009 of the Spl.Judge for ACB Cases – cum-III Addl.District & Sessions Judge, Visakhapatnam.
5. From Director General, Anti-Corruption Bureau, AP,Letter Rc.No.56/RCA-VVZ/2006-S.12, dt.12-04-2018.

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ORDER:

Whereas in the reference 1st read above, it was brought to the notice of the Government, a case was filed in Cr.No.05/RCA-ACB/VZM/2006 under Section 13(2) r/w 13(1)(e) of Prevention of Corruption Act, 1988 on 20.03.2006 against Sri Mabagapu Gandhi Krishna, Junior Assistant, O/o Commercial Tax Office, Rajam Circle, Vizianagaram for amassing wealth by dubious means and thereby acquired assets disproportionate to the known sources of income in his name and in the name of his wife and others.

2. And whereas, the Government after examining the final report of the Director General, Anti Corruption Bureau, received vide reference 2nd read above, have accorded sanction to prosecute Sri Mabagapu Gandhi Krishna, Junior Assistant vide reference 3rd read above for the offences punishable under Section 13(2) r/w 13(1)(e) of Prevention of Corruption act,1988. Accordingly, the Director General, Anti Corruption Bureau, Andhra Pradesh, filed charge sheet before the Special Judge for Anti Corruption Bureau Cases-cum-III Additional District & Sessions Judge, Visakhapatnam in C.C.No.1 of 2009.

3. And whereas, in the reference 4th read above, the Special Judge for Anti Corruption Bureau Cases-cum-III Additional District & Sessions Judge, Visakhapatnam, has passed judgment in C.C.No.1 of 2009 on 05-03-2018 and found that Accused Officer Sri Mabagapu Gandhi Krishna, Junior Assistant, O/o Commercial Tax Office, Rajam Circle, Vizianagaram is guilty of offence under Section 13(2) r/w 13(1)(e) of Prevention of Corruption Act, 1988 and convicted under section 248 (2) of Criminal Procedure Code and sentenced to undergo rigorous imprisonment for 3 years and to pay a fine of Rs.50,000/-(Rupees fifty thousand only) and in default, to suffer simple imprisonment for a year. The Court further ordered the assets worth of Rs.12,98,821/- found disproportionate are to be confiscated to State, after appeal time is over. The period of remand already undergone by the Accused Officer shall be set off U/sec 428 Cr.P.C.

4. And whereas, it is considered that the conduct of the said Sri Mabagapu Gandhi Krishna, Junior Assistant, O/o Commercial Tax Office, Rajam Circle, Vizianagaram which has led to his conviction in the criminal charge is such as to render his further retention in the public service is undesirable.

Contd.,2

5. And whereas, after careful consideration of the facts and circumstances of the case, Government have decided that major penalty of dismissal from Government service shall be imposed on Sri Mabagapu Gandhi Krishna, Junior Assistant, O/o Commercial Tax Office, Rajam Circle, Vizianagaram with immediate effect in terms of orders issued vide G.O.Ms.No.2, General Administration (Services-C) Department, dated: 04.01.1999.

6. Now, therefore in exercise of the powers conferred under clause (x) of rule 9 and sub-rule (1) of Rule 25 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read with the orders issued in G.O.Ms.No.2, General Administration (Services-C) Department, dated 04-01-1999, Government hereby dismiss Sri Mabagapu Gandhi Krishna, Junior Assistant, O/o Commercial Tax Office, Rajam Circle, Vizianagaram from Government service, with immediate effect.

7. The Commissioner, Commercial Taxes, Andhra Pradesh, Vijayawada shall take necessary action accordingly and report compliance to the Government immediately.

NOTIFICATION

8. The following notification shall be published in the extraordinary issue of the Andhra Pradesh Gazettee, Dated:27-04-2018:

"In exercise of the powers conferred under clause (x) of rule 9 and sub-rule (1) of Rule 25 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 read with the orders issued in G.O.Ms.No.2, General Administration (Services-C) Department, dated 04-01-1999, Government hereby dismiss Sri Mabagapu Gandhi Krishna, Junior Assistant, O/o Commercial Tax Office, Rajam Circle, Vizianagaram from Government service with immediate effect".

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To
Sri Mabagapu Gandhi Krishna, Junior Assistant, O/o Commercial Tax Office, Rajam Circle, Vizianagaram (through the Commissioner of Commercial Taxes, Andhra Pradesh, Vijayawada)
The Commissioner of Commercial Taxes, Andhra Pradesh, Vijayawada.
(with a request to serve the G.O. on the individual and send served copy with dated signature to Government for record)
The Commissioner of Printing, Stationery & Stores Purchase, Government Printing Press, Muthyalammapadu, Vijayawada.
(with a request to publish the G.O. in the extraordinary Gazette and furnish 10 copies to Government)

Copy to:
The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Velagapudi.
The Director General, Anti-Corruption Bureau, Pandit Nehru Bus Station, NTR Administrative Block, 2nd Floor, Vijayawada.
The Pay and Accounts Officer, State Planning Board Premises, Dr.No.40-1-101/4, 1st Floor, Sree Nilayam, Sri N.Chandrababu Naidu Circle, Patamata, Vijayawada.
The Director of Treasuries & Accounts, Andhra Pradesh, D.No.7-57, Sri Anjaneya Towers, VTPS Road, Ibrahimpatnam, Vijayawada.
The Accountant General, Andhra Pradesh, Hyderabad.
The Revenue (Commercial Tax-I) Department.
SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER